

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

CONSTANCE FAYE KEFFER,

Plaintiff,

v.

CIVIL ACTION No. 1:08-0212

WENDY'S INTERNATIONAL, INC.,

Defendant.

MEMORANDUM OPINION AND ORDER

Pending before the court is defendant's motion for summary judgment. (doc. # 34). Because there remain genuine issues of material fact which preclude the entry of summary judgment, that motion is DENIED.

The Clerk is directed to send copies of this Memorandum Opinion and Order to all counsel of record.

IT IS SO ORDERED this the 20th day of April, 2009.

ENTER:

A handwritten signature in dark ink, appearing to read "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge